



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Steven D. Girouard et al.

Title: METHOD AND APPARATUS FOR DEVICE CONTROLLED GENE EXPRESSION

Docket No.: 279.696US1

Serial No.: 10/788,906

Filed: February 27, 2004

Due Date: N/A

Examiner: Jessica L. Reidel

Group Art Unit: 3762

**Mail Stop Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

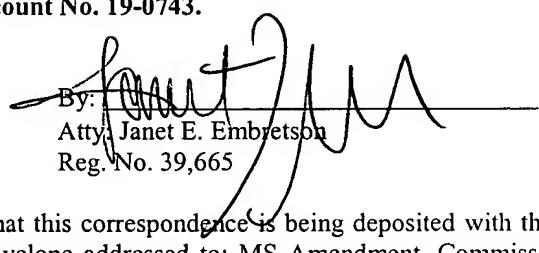
We are transmitting herewith the following attached items (as indicated with an "X"):

- Return postcard.  
 Supplemental Information Disclosure Statement (2 pgs.), Form 1449 (2 pgs.), and copies of 10 cited documents.

**Please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.**

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.

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By:   
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John D. Girouard-Wrathall  
Name

John D. Girouard-Wrathall  
Signature

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
(GENERAL)



S/10/788,906

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Steven D. Girouard et al. Examiner: Jessica L. Reidel  
Serial No.: 10/788,906 Group Art Unit: 3762  
Filed: February 27, 2004 Docket: 279.696US1  
Title: METHOD AND APPARATUS FOR DEVICE CONTROLLED GENE  
EXPRESSION

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**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Supplemental Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. §1.97(b), it is believed that no fee or statement is required with the Supplemental Information Disclosure Statement. However, if an Office Action on the merits has been mailed, the Commissioner is hereby authorized to charge the required fees to Deposit Account No. 19-0743 in order to have this Supplemental Information Disclosure Statement considered.

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Serial No :10/788,906

Filing Date: February 27, 2004

Title: METHOD AND APPARATUS FOR DEVICE CONTROLLED GENE EXPRESSION

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Pursuant to 37 C.F.R. 1.98(a)(2), Applicant believes that copies of cited U.S. Patents and Published Applications are no longer required to be provided to the Office. Notification of this change was provided in the United States Patent and Trademark Office OG Notices dated October 12, 2004. Thus, Applicant has not included copies of any US Patents or Published Applications cited with this submission. Should the Office require copies to be provided, Applicant respectfully requests that notice of such requirement be directed to Applicant's below-signed representative. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

Respectfully submitted,

STEVEN D. GIROUARD ET AL.

By their Representatives,

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Date

January 6, 2006

By

Janet E. Embreson

Reg. No. 39,665

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Name John D. Guske-Watson

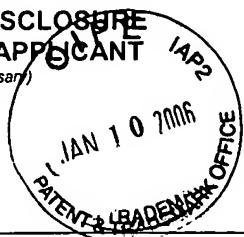
Signature

John D. Guske-Watson

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Complete if Known	
<b>Application Number</b>	10/788,906
<b>Filing Date</b>	February 27, 2004
<b>First Named Inventor</b>	Girouard, Steven
<b>Group Art Unit</b>	3762
<b>Examiner Name</b>	Reidel, Jessica

Sheet 1 of 2

Attorney Docket No: 279.696US1

**US PATENT DOCUMENTS**

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**EXAMINER****DATE CONSIDERED**

Substitute Disclosure Statement Form (PTO-1449)

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional) 2 Applicant is to place a check mark here if English language Translation is attached

Substitute for form 1449A/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>		<i>Complete if Known</i> <b>Application Number</b> 10/788,906 <b>Filing Date</b> February 27, 2004 <b>First Named Inventor</b> Girouard, Steven <b>Group Art Unit</b> 3762 <b>Examiner Name</b> Reidel, Jessica	
Sheet 2 of 2		Attorney Docket No: 279.696US1	

### FOREIGN PATENT DOCUMENTS

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	WO-04093969A1	11/04/2004	Laske, T. G., et al.	
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### OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
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EXAMINER

DATE CONSIDERED